

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**LIBERTARIAN PARTY OF PENNSYLVANIA, et al.,**

**Plaintiffs,**

**v.**

**Case No. 5:20-cv-2299**

**TOM WOLF, in his official capacity as Governor  
of Pennsylvania, et al.,**

**Defendants.**

**PLAINTIFFS' NOTICE OF  
SUPPLEMENTAL AUTHORITY**

In *People Not Politicians v. Clarno*, No. 6:20-cv-01053, at 2 (D. Oregon, July 13, 2020) (attached), the Court concluded that Oregon's strict enforcement of its signature collection rules during the COVID-19 crisis violated the First Amendment and directed Oregon "to decide to either allow Plaintiffs initiative on the ballot as presented, or lower the required signature threshold to 58,789 [from 149,360] and extend the submission deadline to August 17, 2020." Applying *Anderson-Burdick* balancing, the Court refused to, per Oregon's suggestion, "suspend belief in finding that because the Executive Orders did not explicitly ban petition gathering, Plaintiffs could somehow continue to solicit in-person signatures," *id.* at 8, found that "Plaintiffs faced pandemic-related regulations that severely diminished their chances of collecting the necessary signatures by July 2, 2020," *id.*, found that Oregon, "even when requested, refused to lower the threshold or alter the turn-in deadline," and because of the lack of "an accommodation from Defendant" presented the circulators with "an impossible task" such that they "can now only get their initiative on the November 2020 ballot with an order of relief from this Court." *Id.* Oregon's "refus[al] to make reasonable accommodation, during the unprecedented time of the pandemic, reduced the total quantum of speech" and therefore violated the First Amendment. *Id.* at 11.

Respectfully submitted,

s/ Drew Gray Miller

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### **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document was filed through the Court's CM/ECF system, which will effect service upon all counsel of record.

/s/Drew Miller  
Drew Miller